

MINUTES OF THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

U.S.A. vs

Michael Rodriguez

No.

11cr3712-BEN

The Court finds excludable delay, under the section indicated by check ( ☒ ),  
commenced on 9/22/11 and ended on 11/9/11; (XK,XT1)  
and ended on \_\_\_\_\_.

3161(h)

- ☐ (1) (A) Exam or hrg for **mental or physical incapacity**
- ☐ (1) (B) State or Federal trials or **other charges pending**
- ☐ (1) (C) **Interlocutory appeals**
- ☐ (1) (D) **Pretrial motions** (from flg to hrg or other prompt dispo)
- ☐ (1) (E) **Transfers from other district** (per FRCrP 20, 21 & 40)
- ☐ (1) (H) **Proceedings under advisement** not to exceed thirty days
- ☐ Misc proc: Parole or prob rev, deportation, **extradition**
- ☐ (1) (F) **Transportation** from another district or to/from examination or hospitalization in ten days or less
- ☒ (1) (G) Consideration by Court of **proposed plea agreement**
- ☐ (2) **Prosecution deferred** by mutual agreement
- ☐ (3) (A) & (B) **Unavailability of defendant or essential witness**
- ☐ (4) Period of **mental or physical incompetence** of defendant to stand trial
- ☐ (5) **Superseding indictment and/or new charges**
- ☐ (6) **Defendant awaiting trial of co-defendant**, no severance has been granted
- ☐ (7) (A) & (B) **Continuances** granted per (h) (7)-use "T" alone if more than one of the reasons below are given in support of continuance
- ☐ (7) (B) (i) 1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.  
(Continuance - **miscarriage of justice**)
- ☒ 2) Failure to grant a **continuance** of the trial would result in a **miscarriage of justice** as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. (Continuance - **tendered a guilty plea**)
- ☐ (7) (B) (ii) 3) **Case unusual or complex**
- ☐ (7) (B) (iii) 4) **Indictment** following arrest **cannot be filed** in thirty (30) days
- ☐ (7) (B) (iv) 5) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare (Continuance **re counsel**)
- ☐ 3161(8) (i) Time up to **withdrawal of guilty plea**
- ☐ 18:3161(b) **Grand jury indictment time extended** thirty (30) more days

Date 9/22/11

WMe  
Judge's Initials

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